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Dated: July 21, 2005

Signature: 

(Lisa J. Michaud)

Docket No.: 101896-0245  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Nam T. Chao et al.

Application No.: 10/709,019

Confirmation No.: 3018

Filed: April 7, 2004

Art Unit: 3732

For: SPINAL CROSS-CONNECTORS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A summary/abstract translation of the non-English language reference is enclosed.

A copy of only those references listed below is attached:

For. Doc No.	Ctry	Patentee/Applicant	Publication Date
EP 1 295 566 A	EP	Surgival Co. SA	March 26, 2003
FR 2,615,095	FR	Societe de Fabrication de	November 18, 1998
<b>NON PATENT LITERATURE DOCUMENT</b>			
"Ovation™ Polyaxial System" by Osteotech Inc. (author unknown), description downloaded from <a href="http://www.osteotech.com/prodpoly2.htm">http://www.osteotech.com/prodpoly2.htm</a> ; pp 1-6; (October 28, 2003)			

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

No fee is believed due. However, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-0245. A duplicate copy of this paper is enclosed.

Dated: July 21, 2005

Respectfully submitted,

By 

Lisa J. Michaud

Registration No.: 44,238

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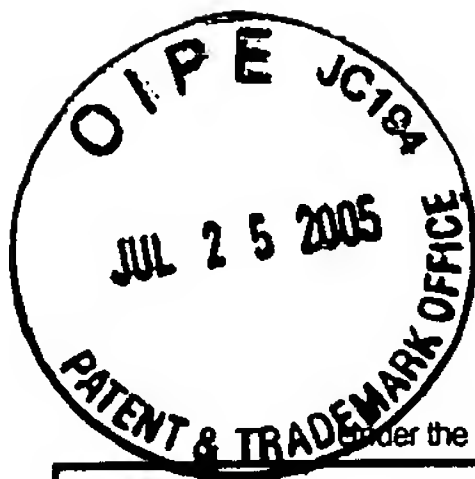
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PTO/SB/08a/b (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/709,019-Conf. #3018
				Filing Date	April 7, 2004
				First Named Inventor	Nam T. Chao
				Art Unit	3732
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	101896-0245

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,261,907	11-16-1993	Vignaud et al.	
	AB	US-5,437,671	08-01-1995	Lozier et al.	
	AC	US-5,498,263	03-12-1996	DiNello et al.	
	AD	US-5,667,506	09-16-1997	Sutterlin	
	AE	US-5,676,703	10-14-1997	Gelbard	
	AF	US-5,688,272	11-18-1997	Montague et al.	
	AG	US-5,989,251	11-23-1999	Nichols	
	AH	US-6,264,658	07-24-2001	Lee et al.	
	AI	US-6,413,257	07-02-2002	CHIH-I LIN	
	AJ	US-20020007183-A1	01-17-2002	Lee et al.	
	AK	US-20040049190-A1	03-11-2004	Biedermann et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	EP-EP 1 295 566 A	03-26-2003	Surgival Co. SA		√
	BB	FR-FR 2,615,095	11-18-1998	Societe de Fabrication de Materiel Orthopedique		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	"Ovation™ Polyaxial System" by Osteotech Inc. (author unknown), description downloaded from <a href="http://www.osteotech.com/prodpoly2.htm">http://www.osteotech.com/prodpoly2.htm</a> ; pp 1-6; (October 28, 2003)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature		Date Considered	
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